

VIRGINIA:

IN THE CIRCUIT COURT OF NELSON COUNTY

LARRY DALE SAUNDERS,

Petitioner

v.

JOE DAN JOHNSON, et. al.,

Defendants.

Case No. CL07000354
CLERK NELSON COUNTY
CIRCUIT COURT

JAN 11 2008

FILED

MOTION TO INSPECT VOTING RECORDS


COMES NOW, the Petitioner Larry Dale Saunders, by counsel, and hereby incorporates by reference the statements set forth in his Complaint and Amended Complaint as evidence and respectfully requests this Court to Order the Clerk of the Circuit Court of Nelson County, Virginia, to unseal the voting records of the November 6, 2007, General Election for the South District Seat for the Board of Supervisors, and allow the attorneys of record in this cause, Daniel L. Rutherford, John P. Fishwick, Jr., and Carlene Booth Johnson, and the Chairperson for the Electoral Board for Nelson County to inspect said records. Your Petitioner would also ask that the Clerk of the Court be further directed to make copies of said records as may be requested by said attorneys. Lastly, your Petitioner would ask that the Clerk be directed to provide for the security of said original documents during said inspection and copying.

WHEREFORE, Petitioner Saunders respectfully requests that this Court grant such Motion filed to exhibit evidence and verify the statements within the Petitioner's

Complaint and Amended Complaint and to aid this Court in its determination on whether or not certain ballots were accurately counted.

Respectfully submitted

Larry Dale Saunders

By: 
Of Counsel

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was sent via first-class mail, postage prepaid to: John P. Fishwick, Jr., Lichtenstein Fishwick & Johnson, P.L.C., 101 S. Jefferson St., Suite 400, Roanoke, VA 24011; Carlene Booth Johnson, Perry Law Firm, 262 Chellowe Road, Dillwyn, VA 23936; John W. Ponton, 64 Dowdy Drive, Shipman, VA 22971; and Mary Kathryn D. Allen, 1115 Gladstone Road, Gladstone, VA 24553 on this 11 day of January, 2008.


Daniel L. Rutherford